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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,286	08/31/2000	Takehiro Kaminagayoshi	397.15.01	4293

22242 7590 06/29/2005

FITCH EVEN TABIN AND FLANNERY  
120 SOUTH LA SALLE STREET  
SUITE 1600  
CHICAGO, IL 60603-3406

EXAMINER
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GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2677

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/653,286

Applicant(s)

KAMINAGAYOSHI ET AL.

Examiner

Motilewa A. Good-Johnson

Art Unit

2677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29 and 30 is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/18/2005 has been entered.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 and 20-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Nishino, U.S. Patent Number 6,409,603, in view of Ozawa, U.S. Patent Number 6,538,666.

Regarding claim 1, Nishino discloses an entertainment system comprising: an entertainment apparatus for executing various programs (col. 3, lines 26-33); at least one manual controller (2b, 2c) for inputting a manual control request of a user to said

Art Unit: 2677

entertainment apparatus; a display monitor (5) for displaying an image outputted from said entertainment apparatus; message displaying means for displaying a message on said display monitor to indicate experiences of a character in a scenario of a program executed by the entertainment apparatus (col. 4, lines 39-49)

However, it is noted that Nishino fails to disclose a color of words of a category changes in response to, and to indicate, experiences of a character in a scenario of a program executed by the entertainment apparatus.

Ozawa discloses a message processing program area for processing a message helpful for operation of the environment, col. 10, lines 1-5, in which words of the message are color coded in different colors to be displayed, col. 16, lines 38-67.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to include in the message displaying of experiences of a character in a scenario, as disclosed by Nishino, the indications of an experience in the helpful message color coded operations disclosed in Ozawa to provide a helpful operation of the game experience.

Regarding claim 2, Ozawa discloses message data to be processed by said message displaying means comprises a plurality of combinations of a data unit indicating a word to be displayed of said word to be displayed (col. 15, lines 38-67)

Regarding claim 3, Ozawa discloses message determining means comprises display a color code setting means for determining a type of a word having an undefined color code in said message data and defining said undefined color code based on the determined type. (determining a message to be displayed and comparing the word data

and the message data and correcting the color data of the message so that certain words are displayed in a different color, col. 15, lines 38-67)

Regarding claim 4, Ozawa discloses message displaying means comprises message frame display means for displaying a message frame containing said message (figure 20)

Regarding claim 5, Ozawa discloses message frame displaying means comprises message frame determining means for determining a display area of said message frame based on the number of characters in said message and display area of main objects . . . (message phrases in display area are output in different ways depending on the kind and scene, figure 22)

Regarding claims 6 and 7, they are rejected based upon similar rational as above independent claim 1.

Regarding claims 8-11, they are rejected based upon similar rational as above dependent claims 2-5.

Regarding claim 12, it is rejected based upon similar rational as above independent claim 1.

Regarding claims 13-18, Ozawa discloses determine if a predefined action has been performed, and to display a first word of the same type in meaning in said message in an alternate color (an action control part for determining a word match of an action corresponding to the matched word, col. 4, lines 5-9, the word to be inputted at a particular time and the remaining part of the message displayed in different colors, col. 3, lines 9-12, and the words are used corresponding to prepared action

Art Unit: 2677

corresponding to a word performed and if the word is found the message is disclosed with words that coincide with the words recorded, col. 16, lines 15-37, which Examiner interprets as a previous manual control request)

Regarding claims 20, 22, 24 and 26, Ozawa discloses the category comprises a place category and the color of a word of the place category indicates whether a character has previously visited the place (a determining part, which determines whether the candidate word provided matches a word to be inputted at that time to a corresponding action control part, col. 4, lines 34-41)

Regarding claims 21, 23, 25 and 27, Ozawa discloses the category comprises a person category and the color of a word of the person category indicates whether a character has previously met the person. (a determining part which determines whether the candidate word provided matches a word to be inputted at that time to a corresponding action control part, col. 4, lines 34-41)

Regarding claim 28 and 29, they are rejected based upon similar rational as above independent claim 1.

### ***Allowable Subject Matter***

2. Claims 29 and 30 are allowed.
3. The following is an examiner's statement of reasons for allowance: The prior art cited fails to render obvious including in the message if the name of a person, place and monster, and a first, third and fifth color if the character has met the person, place, and

monster respectively, and a second, fourth, and sixth color if the character has not met the person, place and monster respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

5. Applicant's arguments, see pages 9-11, filed 07/06/2004, with respect to the rejection(s) of claim(s) 1-18 and 20-27 under 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of 103 Ozawa.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (571) 272-7658. The examiner can normally be reached on Monday, Tuesday and Thursday 9:00 AM - 6:30 PM.

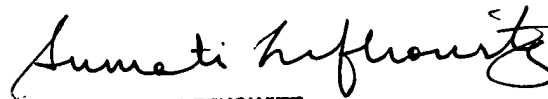
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2677

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Motilewa A. Good-Johnson  
Examiner  
Art Unit 2677

mgj

  
**SUMATI LEFKOWITZ**  
**SUPERVISORY PATENT EXAMINER**